

REMARKS**Remarks About the Rejections Over Houghton:**

In the Office Action mailed December 12, 2005, the Examiner rejected the pending claims as being anticipated by or made obvious over U.S. Patent No. 4,781,711 to Houghton, alone and in view of WO 99/56688 to Van Gompel. After a careful review of the outstanding Office Action and the cited references, Applicants respectfully request reconsideration of the application in view of the following remarks. In particular, the Examiner's rejections should be withdrawn because Houghton does not disclose or suggest all of the recitations of the pending claims, inherently or otherwise.

Claim 1:

At the outset, Applicants have now recited that the absorbent element is "directly connected to said garment side surface of said front and back panels at respective first locations." Accordingly, the Examiner can no longer assert that "the chassis is the panty or undergarment" (see Office Action at 4), since the absorbent element is not "directly" connected to a "garment side surface" thereof as recited in claim 1.

With respect to the remaining assertion, i.e., that the top sheet of Houghton forms the chassis, Applicants respectfully submit that Houghton is totally lacking any disclosure of "front and back panels each having a *terminal crotch edge* and a terminal waist edge . . . , said terminal crotch edges of said front and back panels *spaced apart* in a longitudinal direction so as to form a *gap between said terminal crotch edges*; and an *absorbent element bridging said gap* and directly connected to said garment side surface of said front and back panels at respective a first locations."

Notwithstanding the passage in Houghton disclosing that the invention therein "is also applicable to other disposable absorbent articles such as incontinent briefs, diapers, sanitary napkins and the like" (Col. 4, lines 57-63), Houghton does not disclose, *expressly or inherently*, such a three-piece construction, or that the absorbent garment is secured to a garment side thereof. Again, the Examiner's recitation to Col.

4, lines 57-62 of Houghton for the proposition that Houghton teaches panels -- let alone panels with terminal crotch edges -- with the absorbent article secured to a garment side of a chassis formed thereby; by the mere recitation of an incontinent brief or diaper is purely speculative, and achieved only with hindsight analysis of Applicants' invention. Indeed, there is no teaching of how, or suggestion that, the top sheet 24 be configured as a front panel or a rear panel having "spaced apart crotch edges," since Houghton teaches the importance of having the top sheet 22 extend along the length of the absorbent element (Col. 5, lines 1-4).

Moreover, with respect to the embodiment of Figure 2, the absorbent element is "directly" attached to a *bodyside* surface of the top sheet with adhesive 76, not the garment side thereof as recited in claim 1 (see FIG. 2; Col. 7, lines 61-62).

For all of these reasons, claim 1, and the claims depending therefrom, should be passed to allowance for this reason alone.

Applicants, however, have further amended claim 1 to recite that the cover sheet, which is a component of the absorbent garment bridging the gap between the first and second body panels, has "a first portion directly, *detachably connected* to a second portion of *said cover sheet* at a second location." In essence the cover sheet is "detachably connected" to itself.

In contrast, with respect to the embodiment of Houghton Figure 3, the second location, applied by the Examiner as expansion means 72 and releasable tack 74 (Office Action at 4); secures one side of the top sheet 22 (applied by the Examiner as the chassis) to the absorbent core 26 (see Col. 17, lines 41-67; FIG. 3), rather than directly securing a portion of the absorbent core to itself as recited in claim 1. The expansion means 72, with its releasable tack 74, releases the top sheet (applied as the chassis) when a slight shearing or peeling action is applied to the expansion means 72 (Col. 17, lines 46-47). Accordingly, claim 1 further distinguishes Houghton for this additional reason.

Applicants note that the Examiner has never applied the "anti-bunching bead 66" shown in FIG. 2 of Houghton as the second location, and rightly so,

notwithstanding that Houghton discloses that the "first shelf layer 62 is shown in FIG. 2 to be releasably secured to each second shelf layer 64 by an anti-bunching bead 66" (Col. 6, lines 27-29). In particular, the anti-bunching bead 66 "secures the first shelf layer 62 of the liquid impervious shelves to the second shelf layer 64 to provide stability for the product so that as the product conforms to the body of the wearer during use, the sides of the pad will not significantly distort into a configuration whereby the resilient shaping members 28 will be squeezed closely together thereby effectively closing the acquisition channel 30 from the flow of liquids" (Col. 16, lines 32-41). Likewise, Houghton discloses that there is "a need to provide an absorbent article wherein the article will retain its shape after being wetted so as both to remain comfortable and to be able to rapidly absorb and contain a subsequent gush of liquid without increasing the likelihood of leakage or rewet" (Col. 2, lines 9-14).

As such, there is no disclosure, and in fact a teaching against, the anti-bunching bead 66 detaching "when said absorbent material expands to said second condition" as recited in claim 1. Moreover, as mentioned above, the backsheet in Figure 2 of Houghton is attached to a "bodyside" surface of the topsheet (applied as the chassis) in any event, not the garment side surface as recited in claim 1.

For all of these reasons, claim 1 should be passed to allowance on the next Office Action.

Claim 32:

Claim 32 is patentable over Houghton for all of the same reasons set forth above with respect to claim 1.

CONCLUSION:

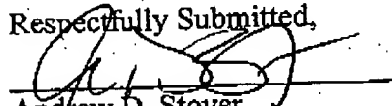
It is not believed that any additional claims fees are occasioned by this amendment. If for any reason this application is not considered to be in condition for allowance and an interview would be helpful to resolve any remaining issues, the

Examiner is respectfully requested to call the undersigned attorney at (312) 321-4713.

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By:

Respectfully Submitted,


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